

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BRUCE LEVINE AND DANIEL
MCCORKLE, et al.,

Plaintiff,

v.

FIRST AMERICAN TITLE INSURANCE
COMPANY,

Defendant.

CIVIL ACTION
NO. 09-842

ORDER

AND NOW, this 29th day of August 2013, upon consideration of Defendant First American Title Insurance's Motion to Dismiss Count One of the Second Amended Complaint (Doc. No. 75), Plaintiffs' Response in Opposition (Doc. 77), Defendant's Reply (Doc. 82), the arguments of counsel for the parties at a hearing on the Motion held on February 15, 2013, and the supplemental briefs filed by both parties (Doc. Nos. 91, 92), and for the reasons stated in the Opinion of the Court issued this day, it is **ORDERED** as follows:

1. Defendant First American Title Insurance's Motion to Dismiss Count One of the Second Amended Complaint is **DENIED**.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.